

THE PACIFIC
Commercial Advertiser

WALTER G. SMITH - EDITOR.

WEDNESDAY OCTOBER 24

FOR DELEGATE IN CONGRESS—
SAMUEL PARKER.FOR SENATORS—
HENRY WATERHOUSE,
GEORGE R. CARTER,
CLARENCE L. CRABBE,
CECIL BROWN,
W. C. ACHI,
FRANK PAHIA.

FOR REPRESENTATIVES—

L. L. MCANDLESS,
J. L. KAULUKOU,
ENOCH JOHNSON,
JOHN LANE,
H. R. HITCHCOCK,
W. J. COELHO,
A. G. M. ROBERTSON,
J. W. KEIKI,
WILLIAM AYLETT,
A. F. GILFILLAN,
WILLIAM H. HOOFS,
JONAH KUMALAE.

And now Judge Estee may hear that he is also a blanked missionary.

Monkeying with Uncle Sam's anti-trust buzz-saw is likely to hurt any man's fingers.

A match touched to the long train of anti-trust powder here is not unlikely to explode some strongholds of the plumbing combine on the Mainland.

No business licenses for men who won't sell as cheaply to the public as they do to a combine, would be a sound conclusion for the Territorial authorities to reach.

Judging from the story of a reputable Chinese firm in this city, Plumbing Inspector Duffy's remark, when appointed, that he had merely come to Hawaii for his health, seems to need revision.

As the plumbing swindle has brought many building plans to a halt, every carpenter and painter in town has a grievance against it. House construction is pretty sure to stop now until the trust comes to terms.

The Wilcox-Emmeluth party is fighting tooth and nail to get a Legislature which will erect a municipality here and install it with a full set of cast-iron plumbing regulations. Something of that sort has become Emmeluth's only hope.

Now that pointed questions are in order we should like to inquire whether or not the Honolulu Republican, (Ltd.), has lately tried to hold up the Territorial Republican Committee either for money or its equivalent and if so for how much?

As every member of the trust who has interfered with the earning chances of any outsider or otherwise hurt his business is liable, under the Federal Statutes, to three-fold damages, we look for an early rush to cover of the implicated plumbing gentry. This town is fast getting too hot to hold them.

The Queen may be deterred, for fear of harm to her Republican pension claim from coming out for Democratic Prince David but that ought not to deter her from trying to save the honor and credit of Hawaii by declaring against Wilcox. It is within her power to make a straight campaign issue between Prince David and Sam Parker.

A check for \$3000 and a pledge for \$2000 more from the Hawaiian Evangelical Board to the American Board of Commissioners for Foreign Missions shows that the missionary spirit in these islands is still one of zeal and generosity in giving. Christian people here are always ready to put their hands in their pockets for the extension of the Gospel and in the course of years have given an enormous sum, in proportion to their numbers, for that object.

The first Republican National platform declared that the power of Congress over the National territory was sovereign and should be exerted to prohibit in the Territories "those twin relics of barbarism, polygamy and slavery." That stated the Republican doctrine which has guided the party ever since, in the government of Seward's Alaskan purchase, in the recent attitude of the administration towards Hawaii and in the present attitude towards Porto Rico and the Philippines.

If John M. Horner is right in the belief that forests have small relation to the rainfall, he must confess that, in the absence of forests, a great deal of surface water may run off that would otherwise be held in porous earth and mosses, and that in doing so the water is likely to carry a great deal of arable land with it. Evaporation also does bad work. A study of the condition of St. Helena would be interesting to Mr. Horner as it shows that the average rainfall, since the forests were cleared away, has decreased and that the land has lost fifty per cent of its fertility.

It is announced that Jesse R. Grant, son of General Grant, has gone over to the Democrats. The change is not unexpected, as when the Populists were strongest in Southern California, Mr. Grant solicited their support for United States Senator, explaining naively that he was an owner of silver mines and wanted to be in a position to vote so as to make them pay. Doubtless he is still of that ambition. Jesse Grant has always been the off-horse in his family, and he achieved so much public dislike when he went with his father around the world, that the historian of the trip, John Russell Young, published an apology for him.

LAW OF THE CASE.

The Advertiser, through the courtesy of District Attorney Baird and United States Marshal Ray, reprints the statutes under which the plumber's trust and any other trust which acts as a conspiracy in restraint of trade, may be prosecuted on the one hand and sued for damages on the other.

Chapter 647 of the Federal Statutes declares illegal every contract or combination in the form of trusts or otherwise or conspiracy in restraint of trade or commerce among the several States; a person convicted of violating the statute being amenable to a fine not exceeding \$5000 or by imprisonment not exceeding one year or by both said punishments in the discretion of the court. This law applies to the agreement between the plumbers' trust of San Francisco and that of Honolulu, in regard to the control of supplies, a Territory being adjudged a State for the purposes of the act; and it is further supported by a second section of Chapter 647, dealing with attempts to monopolize inter-State trade or commerce.

The right to sue in the Federal Court for three-fold damages incurred from a conspiracy in restraint of trade is conferred by Sec. 7, Chapter 647 of the Federal Statutes. Hence if any man has been driven out of business or prevented from finishing any contract work by reason of the refusal of the plumbing trust to sell him supplies or to furnish them at the rates given members of the combine HE MAY SUE and recover three times the amount of damages by him sustained together with attorney's fees and costs. Such judgments were rendered in the damage suits against the San Francisco coal combine, cases exactly parallel with those which may be brought here.

Let us particularize: If there is an independent plumber in town who, through his refusal to enter the trust is unable to get plumbing material from a supply house, and is thereby damaged to the extent of, say, \$5000, he may, on proving his case in the Federal Court get damages in \$15,000.

If there is a builder or contractor who cannot go on with any specific work of construction because of the discriminations of the trust in the matter of prices, he may sue the offending firm in three-fold damages. That is to say if he proves a claim of \$10,000 he will get judgment for \$30,000.

So the work of smashing the criminal trust need not be left entirely to Mr. Baird. Mr. Macfarlane for instance, or Mr. High, or some of the frozen out plumbers, may take a hand and give the trust a lesson that it will never forget.

MARSHALL CASE DECIDED.

In his decision in the Marshall appeal case Judge Estee accords with the view of the Hawaiian Supreme Court and, in effect, contradicts the judgment rendered by Galbraith and Humphreys in the Edwards case that the Constitution followed the flag to these Islands.

At the present writing it is not regarded as probable that Marshall will carry the case up, desirable as it would be from a public point of view to have the arguments raised by him passed upon by the Supreme Federal tribunal. However, on the general plea embraced in the Flag and Constitution issue, the Supreme Court will render a decision—one that former President Harrison says cannot be long delayed. When it comes, if it is in line with Judge Estee's findings, and with the general attitude of Republican jurists, it will end a controversy that has lasted for one hundred years.

As to the personal effect of the decision—the commitment of Wm. H. Marshall to the Territorial prison for six months—there are varying views. Many people who abhor libel feel a certain sympathy for the libeller when he takes on the stripes, the more so if he is exposed with murderers and thieves in chain gangs or guarded road carts. In Marshall's case, however, there were no palliating circumstances. His attack on the late Chief Justice, a man whose health had been ruined in his country's service, and who was seeking rest in retirement, was more than brutal—it was bestial. Nor was there any reasonable excuse for it. The motive seems to have been to increase the sales of Marshall's paper, the Volcano, by pandering to the miserable prejudices of the mob. Marshall did not care for the hearts that would ache over the mud he had thrown on a sick bed; and he has no right to complain if the larger part of this community feels a sense of satisfaction that, when a newspaper editor is tempted to an act of criminal libel, the memory of Marshall in stripes may restrain him.

The statement of the Republican about the attitude of this paper toward the "lumber trust" is a falsehood characteristic of the journal whose faked interviews with George D. Gear, George W. Smith, Martin Egan and others have deprived it of public confidence. The Bulletin also prints a libel about the Advertiser, in connection with some unnamed stock company presumed to be dealing or about to deal in plumbers' supplies. We fancy this yarn came from John Emmeluth, between whom and the ridiculous Bulletin there seems to be enough of an understanding to keep that paper from criticising his present attitude in politics.

J. Emmeluth, plumber and demagogue, has not replied to the Advertiser's questions about his pro-hanging record in the Council of State. The story is that he demanded capital punishment for Robert Wilcox and the other leaders in the emeute of 1895 and left the "missionaries" in disgust because they would not agree to his blood-thirsty program. The columns of the Advertiser are open to Mr. Emmeluth to meet this serious accusation if he has anything to meet it with.

NEWS OF WORLD
CONDENSED

Kwangsi province, China, is in rebellion. West Virginia car builders are on a strike. Archbishop Martinelli may be made a cardinal.

A convention of coal strikers is in progress at Scranton. A crusade against vice has begun by churches in New York.

Part of the Sixth Cavalry has left China for the Philippines. Stockton, Cal., mill hands may join the San Francisco strikers.

On the steamship America 1,400 cigars were seized at San Francisco. A new steamer line is projected between Vancouver and Skagway.

Half a regiment of marines has been sent from China to the Philippines. A race horse at Covelo, Cal., ran into a crowd and seriously injured one man.

Two Filipino judges have been found guilty of fraud, and may be removed. Two street cars met in collision at Seattle, Wash., but no one was injured.

W. J. Watson, an engineer, was killed in a head-end collision near Denver, Col. The Second Regiment, California National Guard, is in camp at Marysville.

The Ministerialists have gained two seats in the British House of Commons. Mr. M. E. Ritter of Randsburg, Cal., attempted to kill Dr. Nichols of that place.

Jesse R. Grant, a son of ex-President U. S. Grant, has gone over to the Democrats. Edwin Hawley denies having been offered the presidency of the Southern Pacific.

Mrs. Philip Hardy, wife of a London business man, committed suicide in Chicago. California is paying the sum of \$81,000 each six months for the support of half orphans.

General Buller is expected to leave Cape Town the last of this month for England. Many Chinese have been decapitated in South China and there is great disaffection.

The steamer City of Seattle has arrived at Seattle with \$750,000 in gold from Nome. C. E. Jones, a Southern Pacific brakeman, was run over and fatally injured at Suisun, Cal.

Clyde Bishop, a prominent Democrat of Santa Ana Valley, Cal., has come out for McKinley. Gen. George W. Davis, commanding in Porto Rico, advises the reduction of the military force there.

Dr. Robert E. Pierce, a prominent physician of San Jose, Cal., has brought suit for divorce from his wife. Typhus fever is raging in the Sixty-eighth infantry at Coblenz, and also in the garrisons at Saarbrücken.

At the Newmarket races, October 12, American jockeys rode the winners. Joe Uhlman was ridden by Tod Sloan. First Lieutenant Robert Blakeman, Forty-ninth United States Volunteer Infantry, has died in the Philippines.

During thieves stole a bundle of letters from a mail bag at the Southern Pacific depot at San Luis Obispo, Cal. Prison guards of San Quentin had a fierce battle with the waves in a small boat off Point San Quentin, but escaped.

William Rockefeller, the Standard Oil magnate, will not be taken to Texas to answer charges of violating anti-trust laws. San Jose, Cal., wants local option.

The miners held at San Quentin prison for the Idaho riots have been released. General Edward S. Bragg, a lifelong Democrat, and Minister to Mexico under Cleveland, has gone over to the Republicans.

Adolph Ottinger, a ticket broker of San Francisco, has been sued for \$50,000 damages for defamation of character by H. R. Duffin. Lora Lambert, a factory girl of San Francisco, had the entire scalp torn from her head by catching her hair in a whirling shaft.

Rear Admiral Silas Casey has been selected to succeed Rear Admiral Kautz as commander of the Pacific station upon the latter's retirement. Admiral Sampson is not seriously ill, although in poor physical condition. He is feeling weak from his strenuous campaign during the Spanish war.

President Jordan of Stanford University addressed large crowds of Berkeley students on the legal conditions which may make Stanford pay heavy taxes. There is a big scandal at the Preston School of Industry. Superintendent Hirschberg is unable to control the boys, and there is much crime among the inmates.

Thomas Nelson Page has been driven to Europe. His recent criticism of Newport and New York society resulted in the social ostracizing of himself and family.

The South African League favors a preferential tariff on British manufactures, and adopted a resolution in opposition to the Dutch language being abandoned.

The challenge of Sir Thomas Lipton for another series of races for the America's cup has been received by the New York Yacht Club and is now under consideration. The securities valued at \$57,000 lire, stolen from the Vatican previous to February last, were sold in that month on the Paris Bourse. They were stolen, it is asserted, by order of an Italian capitalist.

Educators are strong for McKinley's ticket. A poll of the western colleges and universities resulted in a large majority of Republicans. Four professors of the University of Chicago announced they would not vote.

A New Yorker will send two ships in search of the north pole. The expedition will be in charge of Evelyn B. Baldwin, who was a companion of Peary in 1893 and 1894, and also a member of Walter Wellman's expedition.

The French balloon, Centaure, traveled over a thousand miles, carrying two passengers, Comte Henri de la Vaux and Comte Castillon de Saint Victor. The Kiew voyage took thirty-six hours. It was the result of a contest.

Australians bade farewell to the American Consul, George W. Bell, at Sydney, October 12, and ten thousand citizens assembled in the town hall for the farewell tribute. An engrossed address was presented him, and speeches were made by Sir George Dibbs and John Lee.

News comes via Caracas that Venezuela has annulled the concession of the Alarino Company, alleging non-execution of the contract. The company, which headquarters at Faribault, Minn., capitalized at \$20,000,000. It had a concession of 10,000,000 acres of land in the Orinoco district.

The Chinese silver now in Uncle Sam's care, some \$275,000 in amount, was taken by the American marines at the capture of Tien-Tsin. Congress will decide what will be done with it. In the meantime it is being treated as a trust fund. The Government regarding itself as custodian.

Yellow fever is spreading at Havana. There are 113 cases since October 1. The disease has attacked Major Peterson, chief commissary, and Frank Hayes, general manager of the Havana branch of the North American Trust Company. Miss Natalie Brown, stenographer, is also down with the disease.

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